

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Sheala Davidson,

Case No. 3:16CV2621

Plaintiff

v.

ORDER

Nancy A. Berryhill,
Acting Commissioner of Social Security,

Defendant

This is a Social Security case in which the plaintiff, Sheala Davidson, appeals from the Commissioner's decision denying her application for disability benefits.

An administrative law judge found that Davidson, despite suffering from multiple severe impairments, was not disabled. This was so, the ALJ concluded, because Davidson: 1) had the residual functional capacity (RFC) to perform "medium work"; and 2) was therefore capable of performing past relevant work as an "Inspector/Hand Packager." (Doc. 10 at 184, 192).

Pending is Magistrate Judge Greenberg's Report and Recommendation, which recommends that I vacate the Commissioner's decision and remand the case for further proceedings. (Doc. 16).

The Magistrate Judge found that, in formulating the physical restrictions in Davidson's RFC, the ALJ essentially ignored a wealth of evidence tending to corroborate Davidson's claims as to the severity of her neck, back, and hand pain. (*Id.* at 25–30). Because Magistrate Judge Greenberg found that "the physical limitations in the RFC are not supported by substantial evidence," he

recommended that the case “be remanded for a more complete consideration of the evidence regarding Davidson’s chronic neck, back, and hand pain in determining the RFC.” (*Id.* at 32).

The Commissioner has indicated that she will not be filing an objection to the R&R.

There being no objection to the R&R, which I find, in any event, to be well-taken and correct, it is hereby

ORDERED THAT:

1. The Magistrate Judge’s Report and Recommendation (Doc. 16) be, and the same hereby is, adopted as the order of the court; and
2. The Commissioner’s decision be, and the same hereby is, vacated, and this case is remanded to the Commissioner for further proceedings consistent with this order and the Report and Recommendation.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge